The Texas Medical Board reviewed Section 157.0511 (b)(2) of the Medical Practices Act and determined to interpret this portion of their Act to mean that, if delegated by the physician, an APRN or PA may issue prescriptions for a total of 90-days' supply of a controlled substance including refills. The intent of the section is to allow 90-days' supply and not to limit the patient to one refill. This means the APRN or PA could issue a prescription with more than one refill provided the total quantity does not exceed more than a 90-day supply. Further discussions with staff of the Medical Board have also resulted in the interpretation that essentially a controlled substance prescription issued by an APRN or PA, expires 90-days after issuance.

Sec. 157.0511. PRESCRIPTION DRUG ORDERS.
(a) A physician's authority to delegate the carrying out or signing of a prescription drug order under this subchapter is limited to:
(1) dangerous drugs; and
(2) controlled substances to the extent provided by Subsection (b).
(b) A physician may delegate the carrying out or signing of a prescription drug order for a controlled substance only if:
(1) the prescription is for a controlled substance listed in Schedule III, IV, or V as established by the commissioner of public health under Chapter 481, Health and Safety Code;
(2) the prescription, including a refill of the prescription, is for a period not to exceed 90 days;
(3) with regard to the refill of a prescription, the refill is authorized after consultation with the delegating physician and the consultation is noted in the patient's chart; and
(4) with regard to a prescription for a child less than two years of age, the prescription is made after consultation with the delegating physician and the consultation is noted in the patient's chart.